

FILED 09 FEB 27 14:41 USDC ORF

IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF OREGON

JEAN CLAIRE MARKELL,  
Plaintiff,

Civil No. 08-752-PK

v.

ORDER

KAISER FOUNDATION HEALTH  
PLAN OF THE NORTHWEST,  
Defendant.

MARSH, Judge.

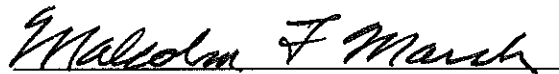
Magistrate Judge Paul Papak filed his Findings and Recommendation on February 10, 2009. The matter is now before me. See 28 U.S.C. § 636(b)(1)(B) and Fed. R. Civ P. 72(b). No objections have been timely filed. This relieves me of my obligation to give the factual findings de novo review. See

§636(b)(1)(C); Simpson v. Lear Astronics Corp., 77 F.3d 1170, 1174-5 (9th Cir. 1996). Having reviewed the legal principles de novo, I find no error.

Accordingly, I ADOPT Magistrate Judge Papak's Findings and Recommendation #30. Defendant's motion (#14) for summary judgment is DENIED.

IT IS SO ORDERED.

DATED this 27 day of February, 2009,

A handwritten signature in cursive script, reading "Malcolm F. Marsh", written over a horizontal line.

Malcolm F. Marsh  
United States District Judge